

ESTTA Tracking number: **ESTTA563892**

Filing date: **10/08/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91211305
Party	Plaintiff IAC Search & Media, Inc.
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Submission	Motion to Suspend for Civil Action
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Signature	/Jennifer Lee Taylor/
Date	10/08/2013
Attachments	Opp. No. 91211305 Motion to Suspend Opposition Proceedings.pdf(80724 bytes) Exh A 2013-10-07 Complaint.pdf(1721487 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

IAC SEARCH & MEDIA, INC.

Opposer,

vs.

SOCIAL IDEOLOGY INC.,

Applicant.

Opposition No.: 91211305

Application No.: 85/736,500

Mark: ASKIE

**MOTION TO SUSPEND OPPOSITION PROCEEDING
DUE TO PENDING CIVIL ACTION**

Opposer IAC Search & Media, Inc. ("Opposer") hereby moves the Board for an order suspending its opposition to Application Serial No. 85/736,500 pending the outcome of *IAC Search & Media, Inc. v. Social Ideology, Inc.*, Case No. 3:13-cv-04661, a civil action pending between Opposer and Applicant in the U.S. District Court for the Northern District of California ("Civil Action"). Exhibit A hereto is a copy of the Complaint in the Civil Action.

Because the Civil Action involves the same parties, the same mark, and has issues in common with this opposition proceeding, Opposer respectfully requests that this proceeding be suspended, pursuant to 37 C.F.R. §2.117(a), pending the final disposition of the Civil Action. *See* TBMP §510.02(a).

Dated: October 8, 2013

By:


Jennifer Lee Taylor
Attorney for Opposer
IAC Search & Media, Inc.

Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-6538
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PROOF OF SERVICE BY MAIL

I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California, 94105; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with Morrison & Foerster's practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of Morrison & Foerster's business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at Morrison & Foerster with postage thereon fully prepaid for collection and mailing.

I further declare that on October 8, 2013, I served a copy of:

MOTION TO SUSPEND OPPOSITION PROCEEDING DUE TO PENDING CIVIL ACTION

on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California, 94105, in accordance with Morrison & Foerster's ordinary business practices:

Shannon W. Bates
Klemchuk Kubasta LLP
8150 N. Central Expressway, 10th Floor
Dallas, TX 75206

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed at San Francisco, California, this 8th day of October, 2013.

Lorna Simpson
(typed)

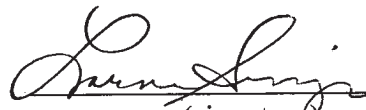

(signature)

EXHIBIT A

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IAC SEARCH & MEDIA, INC.,
Plaintiff,
v.
SOCIAL IDEALOGY INC.,
Defendant.

Case No.

**COMPLAINT FOR
TRADEMARK INFRINGEMENT
JURY TRIAL DEMANDED**

IAC Search & Media, Inc. ("Plaintiff") brings this action against Social Ideology Inc. ("Defendant") and alleges as follows:

PARTIES

1. Plaintiff is a Delaware corporation having its principal place of business at 555 12th Street, Suite 500, Oakland, California 94607. Plaintiff provides online informational, Q&A, search engine, social networking, and advertising services under the ASK® trademark and other ASK-formative marks (collectively the "ASK Marks"). Plaintiff also provides computer software, software plugins, and other products in connection with these services.

2. On information and belief, Defendant is a Texas corporation having its principal place of business at 1412 Alguno Road, Austin, Texas 78757. On information and belief, Defendant develops and offers a software application for mobile devices on Apple's iOS and Google's

1 Android operating systems; Defendant's software application features Q&A services under the
2 ASKIE mark. Defendant has filed an application to register the ASKIE mark at the United States
3 Patent and Trademark Office ("USPTO"), assigned Application Serial No. 85/736,500.

4 **JURISDICTION AND VENUE**

5 3. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C.
6 § 1121 (action arising under the Lanham Act); 28 U.S.C. § 1331 (federal question); 28 U.S.C.
7 § 1338(a) (any Act of Congress relating to trademarks); and 28 U.S.C. § 1367 (supplemental
8 jurisdiction).

9 4. Defendant is subject to personal jurisdiction in this district because, on information
10 and belief, Defendant conducts business transactions within this district and such conduct has
11 caused injury to Plaintiff in this district.

12 5. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2) because
13 Defendant's transactions in this district constitute a substantial part of the events giving rise to
14 Plaintiff's complaint. Furthermore, Plaintiff has suffered harm in this district and the Lanham
15 Act provides that venue lies in the place of harm to the plaintiff.

16 **GENERAL ALLEGATIONS**

17 **Plaintiff's Business**

18 6. Plaintiff provides online informational, Q&A, search engine, social networking, and
19 advertising services under the ASK Marks, including Plaintiff's red ASK logo, and the
20 ASK.COM and ASK word marks, at the website located at www.ask.com. Plaintiff and its
21 predecessor, Ask Jeeves, Inc., have operated the www.ask.com website since 1998.

22 7. Under the ASK JEEVES, ASK! and ASK marks, the www.ask.com website from
23 1998 to 2006 enabled users to conduct natural language searches in the form of "questions" on a
24 variety of topics. Search results were provided in the form of "answers" compiled by staff
25 members. The Q&A format of search services at www.ask.com was unlike the format of many
26 other search services at the time and established the ASK Marks as a distinct source-identifier for
27 Q&A-format search services.

1 8. Around 2006, Plaintiff began promoting additional services under the ASK red logo,
2 and the ASK.COM and ASK word marks at www.ask.com, including advertising services,
3 consumer product and comparison shopping services, online directory information services, and
4 traditional data-based search engine services.

5 9. Since as early as July 2010, Plaintiff has offered social networking services at the
6 www.ask.com website. These services are provided through an online community on
7 www.ask.com called Q&A Community, where registered users can communicate by asking or
8 answering questions posted by others on a variety of subjects. Through Plaintiff's Q&A
9 Community, users "follow" other users who post interesting answers and vote for their favorite
10 answers to user questions.

11 10. In November 2010, Plaintiff began offering its online informational, Q&A, search
12 engine, social networking, and advertising services through a computer software application for
13 mobile phones. Plaintiff first introduced this application for download onto iOS-enabled devices
14 through Apple's iTunes App Store. This software application allows users to participate in
15 Plaintiff's Q&A Community by creating and responding to other users' questions from their
16 Apple iPhones. Through the mobile application, users can also conduct search queries in a Q&A
17 format using Plaintiff's search engine services; this format indexes articles from a variety of web
18 resources, including top-voted answers published in the Q&A Community.

19 11. From the application's launch in November 2010 to August 2011, Plaintiff's
20 application was downloaded nearly 1 million times from Apple's iTunes App Store. In August
21 2011, Plaintiff introduced a version of its software application for the Android operating platform,
22 downloadable through Google's Android Apps on Google Play and Amazon's Appstore for
23 Android. Plaintiff's software application on both the iOS and Android operating systems is
24 branded with the ASK Marks and displays Plaintiff's distinctive red ASK logo in the application
25 icon and within the application itself.

26 12. Plaintiff has invested substantial effort and resources in developing and promoting its
27 mobile software application. As a result, Plaintiff's application has garnered widespread attention
28 and critical acclaim. In 2011, Plaintiff's application for the iPhone placed first in Mediapost's

1 Appy Awards in the Reference category and was selected as an Official Honoree in the
2 International Academy of Digital Arts and Sciences' Webby Awards in the Social category.
3 Plaintiff's mobile application has also received favorable reviews from various technology
4 publications, such as TechCrunch, PC Magazine, and Geek.com.

5 13. Because of the immense popularity of Plaintiff's www.ask.com website and mobile
6 software application, Plaintiff's ASK Marks are widely recognized by the public as identifying
7 and distinguishing Plaintiff's online informational, Q&A, search engine, social networking, and
8 advertising services. Plaintiff owns the considerable and valuable goodwill associated with the
9 ASK Marks.

10 **Plaintiff's Intellectual Property**

11 14. Plaintiff is the owner of numerous trademark registrations for the ASK Marks.
12 Plaintiff owns U.S. Registration No. 3,525,714 for the mark ASK for, *inter alia*, "downloadable
13 computer software for use in providing search engine services which is provided through a
14 browser tool bar" in International Class 9, which registered on October 28, 2008, based on
15 Plaintiff's use of the mark for these goods and services since at least as early as June 6, 2007.
16 The underlying application was filed on June 7, 2005. Attached hereto as Exhibit A is a true and
17 correct copy of the registration certificate for Registration No. 3,525,714.

18 15. Plaintiff also owns U.S. Registration No. 3,904,781 for the mark ASK for "computer
19 social networking services, namely, creating an on-line community for registered users to
20 participate in discussions and get feedback from their peers regarding areas of mutual interests" in
21 International Class 45, which registered on January 11, 2011, based on Plaintiff's use of the mark
22 for these services since at least as early as July 27, 2010. The underlying application was filed on
23 September 10, 2008. Attached hereto as Exhibit B is a true and correct copy of the registration
24 certificate for Registration No. 3,904,781.

25 16. Plaintiff owns, in addition, U.S. Registration No. 2,412,106 for the mark ASK in an
26 oval design, pictured below, for "computer services, namely, providing a search engine based on
27 natural language queries on a global computer network" in International Class 42, which
28 registered on December 12, 2000, based on Plaintiff's use of the mark for these services since at

1 least as early as October 1998. The underlying application was filed on July 29, 1999. This
2 registration is incontestable. Attached hereto as Exhibit C is a true and correct copy of the
3 registration certificate and TSDR report of the corresponding assignment history for Registration
4 No. 2,412,106.



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7 17. Plaintiff owns, as well, U.S. Registration No. 3,652,770 for the mark ASK in an oval
8 design, pictured below, for, *inter alia*, “downloadable internet browser plug-ins and client server
9 applications in the nature of multi-function tool bar plug-ins; downloadable computer software
10 for use in providing search engine services . . . through a browser tool bar” in International Class
11 9, and “providing links to websites of others in the field of entertainment” in International Class
12 41; this mark registered on July 7, 2009, based on Plaintiff’s use of the mark for these goods and
13 services since at least as early as June 6, 2007. The underlying application was filed on February
14 21, 2006. Attached hereto as Exhibit D is a true and correct copy of the registration certificate for
15 Registration No. 3,652,770.



16
17
18 18. Plaintiff also owns U.S. Registration No. 3,904,782 for the mark ASK in an oval
19 design, pictured below, for “computer social networking services, namely, creating an on-line
20 community for registered users to participate in discussions and get feedback from their peers
21 regarding areas of mutual interests” in International Class 45; this mark registered on January 11,
22 2011, based on Plaintiff’s use of the mark for these services since at least as early as July 27,
23 2010. The underlying application was filed on September 10, 2008. Attached hereto as Exhibit E
24 is a true and correct copy of the registration certificate for Registration No. 3,904,782.
25



19. Plaintiff owns, as well, U.S. Registration No. 3,593,278 for the mark ASK in a red oval design, pictured below, for, *inter alia*, “downloadable Internet browser plug-ins and client server applications in the nature of multi-function tool bar plug-ins; downloadable computer software for use in providing search engine services . . . through a browser tool bar” in International Class 9; this mark registered on March 17, 2009, based on Plaintiff’s use of the mark for these goods since at least as early as June 6, 2007. The underlying application was filed on February 21, 2006. Attached hereto as Exhibit F is a true and correct copy of the registration certificate for Registration No. 3,593,278.



20. Additionally, Plaintiff owns U.S. Registration No. 2,463,252 for the mark ASK.COM for “computer services, namely, providing a search engine based on natural language queries on a global computer network” in International Class 42; this mark registered on June 26, 2001, based on Plaintiff’s use of the mark for these services since at least as early as October 15, 1998. The underlying application was filed on April 28, 1999. This registration is incontestable. Attached hereto as Exhibit G is a true and correct copy of the registration certificate and TSDR report of the corresponding assignment history for Registration No. 2,463,252.

21. Plaintiff also owns U.S. Registration No. 2,275,474 for the mark ASK JEEVES for “business computer services, namely a service which allows users of a global computer information network to conduct natural-language searches on a wide variety of subject matters” in International Class 42; this mark registered on September 7, 1999, based on Plaintiff’s use of the mark for these services since at least as early as November 29, 1995. The underlying application was filed on November 10, 1997. This registration is incontestable. Attached hereto as Exhibit H is a true and correct copy of the registration certificate and TSDR report of the corresponding assignment history for Registration No. 2,275,474.

22. Plaintiff owns, as well, U.S. Registration No. 3,765,425 for the mark ASK KIDS for, *inter alia*, “providing customized on-line web pages featuring user-defined information, which

1 includes search engines and online web links to other websites; providing search engines for
2 searching indices and databases of websites and computer networks; computer services, namely,
3 providing search engines for obtaining data on global computer network” in International Class
4 42; this mark registered on March 23, 2010, based on Plaintiff’s use of the mark for these services
5 since at least as early as August 27, 2008. The underlying application was filed on December 12,
6 2007. Attached hereto as Exhibit I is a true and correct copy of the registration certificate for
7 Registration No. 3,765,425.

8 **Defendant’s Business and Wrongful Conduct**

9 23. On information and belief, Defendant developed a mobile computer software
10 application in 2012 that it promotes under the ASKIE mark. The ASKIE application is
11 designated by a logo consisting of the ASKIE word mark placed within an oval speech bubble,
12 and the term ASKIE is used throughout the application. On information and belief, Defendant’s
13 application provides social networking and entertainment services in a Q&A format whereby
14 users can communicate with each other by posting and answering questions called “Askies.”

15 24. On information and belief, Defendant has entered into a developer agreement with
16 Apple, which has its principal place of business in Cupertino, California. This developer
17 agreement enables Defendant to promote and distribute its ASKIE application to users through
18 Apple’s iTunes App Store. On information and belief, Defendant released its first version of the
19 ASKIE application on Apple’s iTunes App Store on September 18, 2012.

20 25. On information and belief, Defendant has also entered into a developer agreement
21 with Google, who has its principal place of business in Mountain View, California, which enables
22 Defendant to promote and distribute its ASKIE application to users through Google’s Android
23 Apps on Google Play. On information and belief, Defendant released its first version of the
24 ASKIE application on Android Apps on Google Play on October 15, 2012.

25 26. On September 24, 2012, Defendant filed an application to register the ASKIE design
26 mark, pictured below, at the USPTO for “computer application software for mobile phones,
27 portable electronic tablets, and personal computers, namely, software for use in social
28 networking, engagement and entertainment” in International Class 9. This application was

1 assigned Application Serial No. 85/736,500.



5

6 27. On information and belief, Defendant promotes its ASKIE application on online social

7 networking media such as Facebook and Twitter, who have their principal places of business in

8 Menlo Park and San Francisco, California, respectively.

9 28. On March 14, 2013, after Defendant appeared at the 2013 SXSW Conference in

10 Austin, Texas to promote its ASKIE application, Plaintiff sent Defendant a cease-and-desist letter

11 advising Defendant of Plaintiff's prior rights in the ASK Marks. Defendant did not respond to

12 this letter. On March 29, 2013, Plaintiff sent a second cease-and-desist letter to Defendant and

13 demanded that Defendant abandon its pending application for the ASKIE mark. Again,

14 Defendant did not respond to this letter.

15 29. On June 26, 2013, still having received no response from Defendant to its cease-and-

16 desist letters, Plaintiff filed a notice of opposition to Defendant's ASKIE application at the

17 USPTO's Trademark Trial and Appeal Board.

18 **Harm to Plaintiff and Plaintiff's ASK Marks**

19 30. On information and belief, Defendant knew of Plaintiff's prior rights in the ASK

20 Marks and disregarded those rights when it chose to adopt the ASKIE mark in connection with its

21 mobile software application.

22 31. On information and belief, Defendant's ASKIE mobile application has been offered to

23 and is used by consumers located in California as a result of Defendant's promotional and

24 distribution activities in California.

25 32. Defendant's unauthorized use of a mark that wholly incorporates Plaintiff's ASK word

26 mark and is highly similar to Plaintiff's red ASK logo on a competing, closely related, and

27 complementary product has caused and is likely to continue to cause confusion or mistake or

28

1 deception, now and in the future, as to the origin, source, and sponsorship of Plaintiff's products
2 and services and Defendant's product.

3 33. Defendant's adoption of the ASKIE mark for a product that is competing with and
4 closely related or complementary to Plaintiff's products and services has resulted in and will
5 continue to result in incalculable harm to Plaintiff because of confusion among consumers and
6 injury to Plaintiff's reputation.

7 34. Defendant's conduct is continuing and will continue unless restrained by the Court.
8 Unless Defendant is enjoined from engaging in the wrongful conduct described above, Plaintiff
9 will suffer irreparable injury and further harm. Plaintiff has no adequate remedy at law.

10 **CLAIMS FOR RELIEF**

11 **CLAIM 1 – TRADEMARK INFRINGEMENT UNDER 15 U.S.C. § 1114**

12 35. Plaintiff repeats and realleges each allegation set forth in paragraphs 1 through 34
13 above as if fully set forth herein.

14 36. The acts of Defendant described above constitute trademark infringement in violation
15 of Section 32 of the Lanham Act, 15 U.S.C. § 1114.

16 37. Plaintiff has valid and protectable registered rights in the ASK Marks since
17 substantially prior to Defendant's first use of the ASKIE mark to identify its computer software
18 application.

19 38. On information and belief, Defendant had actual knowledge of Plaintiff's ownership
20 and use of the registered ASK Marks prior to Defendant's adoption and use of the ASKIE mark in
21 connection with its computer software application.

22 39. Plaintiff has not authorized Defendant to use the ASKIE mark in connection with its
23 computer software application.

24 40. Defendant's unauthorized use of the ASKIE mark is likely to cause confusion,
25 mistake, or deception on the part of consumers as to the source, nature, and quality of the
26 products Defendant is promoting or offering under the ASKIE mark, constituting trademark
27 infringement in violation of 15 U.S.C. § 1114.

1 41. As a direct and proximate result of Defendant's wrongful conduct, Plaintiff has been,
2 is now, and will be irreparably, injured and damaged by Defendant's aforementioned acts, and
3 unless Defendant is enjoined by the Court, Plaintiff will suffer further harm to its name,
4 reputation and goodwill. This harm constitutes an injury for which Plaintiff has no adequate
5 remedy at law.

6 42. On information and belief, Defendant has acted willfully to usurp Plaintiff's rights,
7 and Defendant should be held liable to Plaintiff for treble damages and attorneys' fees pursuant to
8 15 U.S.C. § 1117(a).

9 **CLAIM 2 – FALSE DESIGNATION OF ORIGIN UNDER 15 U.S.C. § 1125(A)**

10 43. Plaintiff repeats and realleges each allegation set forth in paragraphs 1 through 42
11 above as if fully set forth herein.

12 44. The acts of Defendant described above constitute unfair competition and false
13 designation of origin in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

14 45. Plaintiff has valid and protectable rights in the ASK Marks since substantially prior to
15 Defendant's first use of the ASKIE mark.

16 46. On information and belief, Defendant had actual knowledge of Plaintiff's ownership
17 and use of the ASK Marks prior to Defendant's adoption and use of the ASKIE mark in
18 connection with its computer software application.

19 47. Plaintiff has not authorized Defendant to use the ASKIE mark in connection with its
20 computer software application.

21 48. Defendant's unauthorized use of the ASKIE mark is likely to cause consumers to
22 believe that there is a relationship between Defendant and Plaintiff and/or that Defendant's
23 products are associated with or come from Plaintiff and that such association constitutes false
24 designation of origin, in violation of 15 U.S.C. § 1125(a).

25 49. As a direct and proximate result of Defendant's wrongful conduct, Plaintiff has been,
26 is now, and will be irreparably, injured and damaged by Defendant's aforementioned acts, and
27 unless Defendant is enjoined by the Court, Plaintiff will suffer further harm to its name,
28 reputation and goodwill. This harm constitutes an injury for which Plaintiff has no adequate

1 remedy at law.

2 50. On information and belief, Defendant has acted willfully to usurp Plaintiff's rights,
3 and Defendant should be held liable to Plaintiff for treble damages and attorneys' fees pursuant to
4 15 U.S.C. § 1117(a).

5 **CLAIM 3 – UNFAIR COMPETITION UNDER CALIFORNIA**
6 **BUS. & PROF. CODE §§ 17200 *et seq.***

7 51. Plaintiff repeats and realleges each allegation set forth in paragraphs 1 through 50
8 above as if fully set forth herein.

9 52. Defendant's conduct, described above, constitutes unfair competition under California
10 Business & Professions Code §§ 17200 *et seq.*

11 53. Plaintiff has valid and protectable rights in the registered ASK Marks since
12 substantially prior to Defendant's first use of the ASKIE mark.

13 54. On information and belief, Defendant had actual knowledge of Plaintiff's ownership
14 and use of the ASK Marks prior to Defendant's adoption and use of the ASKIE mark in
15 connection with its computer software application.

16 55. Plaintiff has not authorized Defendant to use the ASKIE mark in connection with its
17 computer software application.

18 56. Defendant's unauthorized use of the ASKIE mark is likely to cause confusion or
19 misunderstanding as to the relationship between Defendant and Plaintiff and/or between
20 Plaintiff's ASK products and services and Defendant's ASKIE product, and constitutes unfair and
21 fraudulent business practices in violation of California Business & Professions Code §§ 17200
22 *et seq.*

23 57. The above-described acts further constitute business acts that violate Section 43(a) of
24 the Lanham Act, 15 U.S.C. § 1125(a) and are therefore unlawful.

25 58. As a direct and proximate result of Defendant's wrongful conduct, Plaintiff has been,
26 is now, and will be irreparably injured and damaged by Defendant's aforementioned acts, and
27 unless enjoined by the Court, Plaintiff will suffer further harm to its name, reputation and
28 goodwill. This harm constitutes an injury for which Plaintiff has no adequate remedy at law.

59. On information and belief, Defendant has acted with full knowledge of Plaintiff's rights and with the intention to usurp such rights and therefore its aforementioned acts are willful and intentional.

CLAIM 4 – DECEPTIVE, FALSE AND MISLEADING ADVERTISING UNDER CALIFORNIA BUS. & PROF. CODE §§ 17500 *et seq.*

60. Plaintiff repeats and realleges each allegation set forth in paragraphs 1 through 59 above as if fully set forth herein.

61. Defendant's conduct, described above, constitutes constitute false and misleading under California Business & Professions Code §§ 17500 *et seq.*

62. Plaintiff has valid and protectable rights in the registered ASK marks since substantially prior to Defendant's first use of the ASKIE mark.

63. On information and belief, Defendant had actual knowledge of Plaintiff's ownership and use of the ASK Marks prior to Defendant's adoption and use of the ASKIE mark in connection with its computer software application.

64. Plaintiff has not authorized Defendant to use the ASKIE mark in connection with its computer software application.

65. Defendant's unauthorized use of the ASKIE mark is likely to cause consumers to believe that there is a relationship between Defendant and Plaintiff and/or that Defendant's products are associated with or come from Plaintiff and that such association constitutes false and misleading advertising in violation of California Business & Professions Code §§ 17500 *et seq.*

66. Defendant's false and misleading advertising will permit Defendant to capitalize on the strength of Plaintiff's success, goodwill, and reputation in promoting Plaintiff's products and services.

67. As a direct and proximate result of Defendant's wrongful conduct, Plaintiff has been, is now, and will be irreparably, injured and damaged by Defendant's aforementioned acts, and unless Defendant is enjoined by the Court, Plaintiff will suffer further harm to its name, reputation and goodwill. This harm constitutes an injury for which Plaintiff has no adequate remedy at law.

68. On information and belief, Defendant has acted with full knowledge of Plaintiff's rights and with the intention to usurp such rights and therefore its aforementioned acts are willful and intentional.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief as follows:

1. That judgment be entered in favor of Plaintiff and against Defendant on each and every Claim of this Complaint;

2. For entry of an order and judgment requiring that Defendant and its officers, agents, servants, employees, owners and representatives, and all other persons, firms or corporations in active concert or participation with them, be enjoined during the pendency of this action and permanently thereafter from (a) using in any manner the ASKIE trademark, any name or mark that wholly incorporates the ASK trademark, or any name or mark that is confusingly similar to or a colorable imitation of the ASK Marks owned by Plaintiff; (b) doing any act or thing calculated or likely to cause confusion or mistake in the minds of the members of the public, or prospective customers of Plaintiff's products or services, as to the source of the products or services offered or distributed, or likely to confuse members of the public, or prospective customers, into believing that there is some connection between Plaintiff and Defendant or any other entity owned by or associated with Defendant; (c) otherwise competing unfairly with Plaintiff in any manner; or (d) assisting, aiding or abetting any other person or business entity in engaging in or performing any of the activities referred to in parts (a) through (c) of this paragraph 2.

3. For entry of an order and judgment directing Defendant, pursuant to 15 U.S.C. § 1116(a), to file with this Court and serve upon Plaintiff within thirty (30) days after entry of the injunction, a report in writing under oath setting forth in detail the manner and form in which Defendant has complied with the injunction and ceased all offering of products under the ASKIE mark as set forth above;

4. For entry of an order and judgment directing Defendant, pursuant to 15 U.S.C. § 1118, to deliver up for destruction, or to show proof of said destruction or sufficient

1 modification to eliminate the infringing matter, all catalogs, articles, products, displays, labels,
2 circulars, letterhead, business cards, promotional items, clothing, literature, or other matter in the
3 possession, custody, or under the control of Defendant or its agents bearing the mark ASKIE in
4 any manner, or any mark that is confusingly similar to or a colorable imitation of the ASK Marks;

5 5. A judgment in the aggregate amount of (a) Defendant's profits, (b) Plaintiff's actual
6 damages, and (c) the costs of this action pursuant to 15 U.S.C. § 1117;

7 6. That the Court award enhanced damages under 15 U.S.C. § 1117;

8 7. That the Court award Plaintiff reasonable attorney's fees; and

9 8. That the Court grant such other and further relief as it deems just and proper.

10 9. For entry of an order directing the United States Patent and Trademark Office not to
11 register the ASKIE mark in Application Serial No. 85/736,500 per 15 U.S.C. § 1119.

12 Dated: October 7, 2013

JENNIFER LEE TAYLOR
JOYCE LIU
MORRISON & FOERSTER LLP

13
14
15 By: /s/ Jennifer Lee Taylor
16 JENNIFER LEE TAYLOR

17 Attorneys for Plaintiff
18 IAC SEARCH & MEDIA, INC.
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DEMAND FOR JURY TRIAL

Plaintiffs hereby demand trial by jury of all issues so triable under the law as provided by Rule 38(a) of the Federal Rules of Civil Procedure.

Dated: October 7, 2013

JENNIFER LEE TAYLOR
JOYCE LIU
MORRISON & FOERSTER LLP

By: /s/ Jennifer Lee Taylor
JENNIFER LEE TAYLOR

Attorneys for Plaintiff
IAC SEARCH & MEDIA, INC.

EXHIBIT A

Int. Cls.: 9, 35, and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100, 101, and 102

Reg. No. 3,525,714

United States Patent and Trademark Office

Registered Oct. 28, 2008

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

ASK

IAC SEARCH & MEDIA, INC. (DELAWARE CORPORATION)
555 12TH STREET, SUITE 500
OAKLAND, CA 94607

FOR: DOWNLOADABLE COMPUTER SOFTWARE FOR USE IN PROVIDING SEARCH ENGINE SERVICES WHICH IS PROVIDED THROUGH A BROWSER TOOL BAR, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

FOR: PROVIDING CONSUMER PRODUCT INFORMATION; PROVIDING COMPARISON SHOPPING INFORMATION, PROVIDING ONLINE DIRECTORY INFORMATION SERVICES ALSO FEATURING HYPERLINKS TO OTHER WEBSITES, DISSEMINATION OF ADVERTISING FOR OTHERS VIA THE INTERNET; ONLINE ADVERTISING SERVICES FOR OTHERS, NAMELY, PROVIDING ADVERTISING SPACE ON INTERNET WEB SITES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

FOR: COMPUTER SERVICES, NAMELY, PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON A GLOBAL COMPUTER NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,412,106 AND 2,463,252.

SN 78-645,692, FILED 6-7-2005.

MARK RADEMACHER, EXAMINING ATTORNEY

EXHIBIT B

United States of America

United States Patent and Trademark Office

ASK

Reg. No. 3,904,781

Registered Jan. 11, 2011

Int. Cl.: 45

SERVICE MARK

PRINCIPAL REGISTER

IAC SEARCH & MEDIA, INC. (DELAWARE CORPORATION)
SUITE 500
555 12TH STREET
OAKLAND, CA 94607

FOR: COMPUTER SOCIAL NETWORKING SERVICES, NAMELY, CREATING AN ON-LINE COMMUNITY FOR REGISTERED USERS TO PARTICIPATE IN DISCUSSIONS AND GET FEEDBACK FROM THEIR PEERS REGARDING AREAS OF MUTUAL INTERESTS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 7-27-2010; IN COMMERCE 7-27-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,412,106, 2,463,252, AND 3,525,714.

SN 77-566,770, FILED 9-10-2008.

LINDSEY RUBIN, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office

EXHIBIT C

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,412,106

United States Patent and Trademark Office

Registered Dec. 12, 2000

**SERVICE MARK
PRINCIPAL REGISTER**



ASK JEEVES, INC. (CALIFORNIA CORPORATION)
5858 HORTON STREET, SUITE 350
EMERYVILLE, CA 94608

LANGUAGE QUERIES ON A GLOBAL COMPUTER
NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).
FIRST USE 10-0-1998; IN COMMERCE 10-0-1998.

SER. NO. 75-763,395, FILED 7-29-1999.

FOR: COMPUTER SERVICES, NAMELY, PRO-
VIDING A SEARCH ENGINE BASED ON NATURAL

DAWN FELDMAN, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,412,106

United States Patent and Trademark Office

Registered Dec. 12, 2000

**SERVICE MARK
PRINCIPAL REGISTER**



ASK JEEVES, INC. (CALIFORNIA CORPORATION)
5858 HORTON STREET, SUITE 350
EMERYVILLE, CA 94608

LANGUAGE QUERIES ON A GLOBAL COMPUTER
NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).
FIRST USE 10-0-1998; IN COMMERCE 10-0-1998.

SER. NO. 75-763,395, FILED 7-29-1999.

FOR: COMPUTER SERVICES, NAMELY, PRO-
VIDING A SEARCH ENGINE BASED ON NATURAL

DAWN FELDMAN, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2013-05-21 21:12:26 EDT

Mark: ASK!



US Serial Number: 75763395
 US Registration Number: 2412106
 Register: Principal
 Mark Type: Service Mark
 Status: The registration has been renewed.
 Status Date: Dec. 14, 2012
 Publication Date: Sep. 19, 2000

Application Filing Date: Jul. 29, 1999
 Registration Date: Dec. 12, 2000

Mark Information

Mark Literal Elements: ASK!
 Standard Character Claim: No
 Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
 Design Search Code(s): 26.03.01 - Ovals as carriers and single line borders

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate ~~deleted goods/services~~
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *...* identify ~~additional (new) wording~~ in the goods/services.

For: Computer services, namely, providing a search engine based on natural language queries on a global computer network

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1998

Use in Commerce: Oct. 1998

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: IAC SEARCH & MEDIA, INC.
 Owner Address: 555 12TH STREET, SUITE 500
 OAKLAND, CALIFORNIA 94607
 UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney Name: ROSEMARY S. TARLTON

Attorney of Record

Docket Number: 476836013000

Correspondent

Correspondent ROSEMARY S. TARLTON
 Name/Address: MORRISON & FOERSTER LLP
 425 MARKET ST.
 SAN FRANCISCO, CALIFORNIA 94105-2482
 UNITED STATES

Phone: 415-268-6810

Fax: 415-268-7522

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 14, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
May 26, 2011	SEC 7 REQUEST FILED	59136
Dec. 14, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59136
Dec. 14, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	59136
Nov. 19, 2012	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
May 21, 2012	POST REGISTRATION ACTION MAILED - SEC. 7	59136
May 09, 2012	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Nov. 09, 2011	POST REGISTRATION ACTION MAILED - SEC. 7	59136
Nov. 09, 2011	SEC 7 REQUEST FILED	59136
May 26, 2011	TEAS VOLUNTARY AMENDMENT RECEIVED	
May 26, 2011	TEAS SECTION 8 & 9 RECEIVED	
Oct. 18, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 05, 2008	CERTIFICATE OF CORRECTION ISSUED	
Oct. 18, 2007	RESPONSE RECEIVED TO POST REG. ACTION	
Oct. 18, 2007	PAPER RECEIVED	
Jul. 17, 2007	POST REGISTRATION ACTION MAILED - SEC. 7	59136
Jul. 02, 2007	ASSIGNED TO PARALEGAL	59136
Nov. 20, 2006	SEC 7 REQUEST FILED	
Nov. 20, 2006	PAPER RECEIVED	
Jul. 20, 2006	CASE FILE IN TICRS	
Jul. 19, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75184
Apr. 12, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 12, 2005	TEAS SECTION 8 & 15 RECEIVED	
Sep. 04, 2003	AMENDMENT UNDER SECTION 7 - ISSUED	
Jul. 17, 2003	SEC 7 REQUEST FILED	
Jul. 17, 2003	SEC 7 REQUEST FILED	
Jul. 17, 2003	PAPER RECEIVED	
Jun. 27, 2003	PAPER RECEIVED	
Dec. 12, 2000	REGISTERED-PRINCIPAL REGISTER	
Sep. 19, 2000	PUBLISHED FOR OPPOSITION	
Aug. 18, 2000	NOTICE OF PUBLICATION	
Jun. 22, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 16, 2000	EXAMINER'S AMENDMENT MAILED	
Dec. 28, 1999	NON-FINAL ACTION MAILED	
Dec. 20, 1999	ASSIGNED TO EXAMINER	74662
Dec. 16, 1999	ASSIGNED TO EXAMINER	76081

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 12, 2010

Change In Registration: Yes

Amendment to a
Registration/Renewal
Certificate: The drawing is amended to appear as follows: Publish New Cut

Correction made to
Registration: In the statement, column 1, line 1, "CALIFORNIA" should be deleted, and "DELAWARE" should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Dec. 14, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Ask Jeeves, Inc.

Assignment 1 of 2

Conveyance: MERGER

Reel/Frame: 3013/0060

Pages: 9

Date Recorded: Jan. 20, 2005

Supporting Documents: [assignment-tm-3013-0060.pdf](#)

Assignor

Name: ASK JEEVES, INC.

Execution Date: Jun. 29, 1999

Legal Entity Type: CORPORATION

State or Country Where
Organized: CALIFORNIA

Assignee

Name: ASK JEEVES, INC.

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Address: 555 12TH STREET, SUITE 500
OAKLAND, CALIFORNIA 94607

Correspondent

Correspondent Name: ROSEMARY S. TARLTON

Correspondent Address: MORRISON & FOERSTER LLP, 425 MARKET ST.,
SAN FRANCISCO, CA 94105-2482

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: 3284/0679

Pages: 5

Date Recorded: Apr. 07, 2006

Supporting Documents: [assignment-tm-3284-0679.pdf](#)

Assignor

Name: ASK JEEVES, INC.

Execution Date: Feb. 17, 2006

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Assignee

Name: IAC SEARCH & MEDIA, INC.

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Address: 555 12TH STREET, SUITE 500
OAKLAND, CALIFORNIA 94607

Correspondent

Correspondent Name: ROSEMARY S. TARLTON

Correspondent Address: MORRISON & FOERSTER LLP, 425 MARKET ST.,
SAN FRANCISCO, CA 94105-2482

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: OppositionProceeding Number: 91189244

Filing Date: Mar 11, 2009

Status: Terminated

Status Date: Oct 20, 2009

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Worden, Michael

Correspondent Address: AHAB AYOUB
1726 ALPINE CIRCLE
SAN ANTONIO TX , 78248-2104
UNITED STATESCorrespondent e-mail: ahabayoub@gmail.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ASK LOCALS	Abandoned - After Inter-Partes Decision	<u>77502938</u>	
Plaintiff(s)			

Name: IAC Search & Media, Inc.

Correspondent Address: Rosemary S. Tarlton
Morrison & Foerster LLP
425 Market Street
San Francisco CA , 94105-2482
UNITED STATESCorrespondent e-mail: rtarlton@mofo.com, nsabri@mofo.com, mmcdaniel@mofo.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ASK!	Renewed	<u>75763395</u>	<u>2412106</u>
ASK	Registered	<u>78645692</u>	<u>3525714</u>
ASK.COM	Renewed	<u>75693002</u>	<u>2463252</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 11, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 11, 2009	Apr 20, 2009
3	PENDING, INSTITUTED	Mar 11, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Apr 16, 2009	
5	EXTENSION OF TIME GRANTED	Apr 16, 2009	
6	NOTICE OF DEFAULT	Aug 25, 2009	
7	BOARD'S DECISION: SUSTAINED	Oct 20, 2009	
8	TERMINATED	Oct 20, 2009	

Type of Proceeding: OppositionProceeding Number: 91188737

Filing Date: Feb 06, 2009

Status: Terminated

Status Date: Jul 02, 2010

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Amazon Technologies, Inc.

Correspondent Address: John C. Rawls
Bracewell & Giuliani LLP
711 Louisiana Street, Suite 2300
Houston TX , 77002-2770
UNITED STATES**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ASKVILLE	Registered	<u>77288841</u>	<u>3829978</u>
Plaintiff(s)			

Name: IAC Search and Media, Inc.

Correspondent Address: Raffi V. Zerounian
Harvey Siskind LLP
4 Embarcadero Center, 39th Floor
San Francisco CA , 94111
UNITED STATES

Correspondent e-mail: rzerounian@harveysiskind.com , pharvey@harveysiskind.com , cleee@harveysiskind.com , dfreitag@harveysiskind.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ASK!	Renewed	<u>75763395</u>	<u>2412106</u>
ASK.COM	Renewed	<u>75693002</u>	<u>2463252</u>
ASK	Registered	<u>78645692</u>	<u>3525714</u>
ASK	Abandoned - No Statement Of Use Filed	<u>78820136</u>	
ASK	Abandoned - No Statement Of Use Filed	<u>78757477</u>	
ASK	Abandoned - No Statement Of Use Filed	<u>78820138</u>	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 06, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2009	Mar 18, 2009
3	PENDING, INSTITUTED	Feb 06, 2009	
4	ANSWER	Mar 18, 2009	
5	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Sep 03, 2009	
6	EXTENSION OF TIME GRANTED	Sep 18, 2009	
7	STIPULATED PROTECTIVE ORDER	Dec 01, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Dec 10, 2009	
9	STIPULATION NOTED AND APPROVED	Dec 14, 2009	
10	STIPULATION FOR AN EXTENSION OF TIME	Jan 14, 2010	
11	TRIAL DATES RESET	Jan 16, 2010	
12	STIPULATION FOR AN EXTENSION OF TIME	Feb 03, 2010	
13	CONSOLIDATED CHILD OF 91178765	Feb 06, 2010	
14	STIPULATION OF DISMISSAL	Jun 30, 2010	
15	BD'S DECISION: DISMISSED W/ PREJUDICE	Jul 02, 2010	
16	TERMINATED	Jul 02, 2010	

Type of Proceeding: Opposition

Proceeding Number: 91178765

Filing Date: Aug 06, 2007

Status: Terminated

Status Date: Jul 02, 2010

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Amazon Technologies, Inc.

Correspondent Address: JOHN C. RAWLS
BRACEWELL & GIULIANI LLP
711 LOUISIANA STREET, SUITE 2300
HOUSTON TX , 77002
UNITED STATES

Correspondent e-mail: John.Rawls@bglip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ASKVILLE	Fifth Extension - Granted	<u>77002313</u>	
Plaintiff(s)			

Name: IAC Search & Media, Inc.

Correspondent Address: RAFFI V. ZEROUNIAN, ESQ.
HARVEY SISKIND LLP
4 EMBARCADERO CENTER, 39TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: rzerounian@harveysiskind.com , cllee@harveysiskind.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ASK!	Renewed	<u>75763395</u>	<u>2412106</u>
ASK.COM	Renewed	<u>75693002</u>	<u>2463252</u>
ASK	Abandoned - No Statement Of Use Filed	<u>78820136</u>	
ASK	Abandoned - No Statement Of Use Filed	<u>78757477</u>	
ASK	Abandoned - No Statement Of Use Filed	<u>78820138</u>	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 06, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 06, 2007	Sep 15, 2007
3	PENDING, INSTITUTED	Aug 06, 2007	
4	STIPULATION FOR AN EXTENSION OF TIME	Sep 14, 2007	
5	EXTENSION OF TIME GRANTED	Sep 17, 2007	
6	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2007	
7	EXTENSION OF TIME GRANTED	Nov 16, 2007	
8	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2007	
9	EXTENSION OF TIME GRANTED	Nov 16, 2007	
10	ANSWER	Dec 17, 2007	
11	STIPULATION FOR AN EXTENSION OF TIME	Feb 26, 2008	
12	EXTENSION OF TIME GRANTED	Feb 26, 2008	
13	STIPULATION FOR AN EXTENSION OF TIME	Jun 15, 2008	
14	EXTENSION OF TIME GRANTED	Jun 15, 2008	
15	STIPULATION FOR AN EXTENSION OF TIME	Sep 15, 2008	
16	EXTENSION OF TIME GRANTED	Sep 15, 2008	
17	MOTION TO AMEND ANSWER/AMENDED ANSWER OR COUNTERCLAIM	Oct 17, 2008	
18	P'S MOTION TO COMPEL DISCOVERY	Oct 23, 2008	
19	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Nov 05, 2008	
20	DEF'S FEE FOR COUNTERCLAIM	Nov 05, 2008	
21	STIPULATION FOR AN EXTENSION OF TIME	Nov 12, 2008	
22	EXTENSION OF TIME GRANTED	Nov 14, 2008	
23	STIP STATEMENT NARROWING ISSUES RAISED IN PLS MOT TO COMPEL	Nov 19, 2008	
24	D'S OPPOSITION/RESPONSE TO MOTION	Nov 19, 2008	
25	P'S REPLY IN SUPPORT OF MOTION	Dec 09, 2008	
26	RESPONSE DUE 30 DAYS (DUE DATE)	Jan 21, 2009	Feb 20, 2009
27	ANSWER TO COUNTERCLAIM	Feb 20, 2009	
28	STIPULATION FOR AN EXTENSION OF TIME	Feb 23, 2009	
29	EXTENSION OF TIME GRANTED	Feb 23, 2009	
30	CHANGE OF CORRESPONDENCE ADDRESS	Mar 04, 2009	
31	STIPULATION FOR AN EXTENSION OF TIME	Apr 28, 2009	
32	EXTENSION OF TIME GRANTED	May 11, 2009	
33	D'S MOTION FOR AN EXTENSION OF TIME	Sep 03, 2009	
34	EXTENSION OF TIME GRANTED	Sep 10, 2009	
35	STIPULATED PROTECTIVE ORDER	Dec 01, 2009	
36	STIPULATION FOR AN EXTENSION OF TIME	Dec 10, 2009	
37	STIP PROTECTIVE ORDER APPROVED	Dec 16, 2009	
38	TRIAL DATES RESET	Dec 17, 2009	

39	STIPULATION FOR AN EXTENSION OF TIME	Jan 14, 2010
40	EXTENSION OF TIME GRANTED	Jan 20, 2010
41	STIPULATION FOR AN EXTENSION OF TIME	Feb 03, 2010
42	CONSOLIDATED (PARENT) P'S MOTION GRANTED	Feb 06, 2010
43	SUSPENDED	Mar 08, 2010
44	SUSPENDED	Mar 08, 2010
45	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Mar 24, 2010
46	SUSPENDED	Mar 26, 2010
47	STIP TO DISMISS OPPTS N COUNTERCLAIMS	Jun 18, 2010
48	BD'S DECISION: DISMISSED W/ PREJUDICE	Jul 02, 2010
49	TERMINATED	Jul 02, 2010

EXHIBIT D

Int. Cls.: 9, 35, 41, and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100, 101, 102, and 107

Reg. No. 3,652,770

United States Patent and Trademark Office

Registered July 7, 2009

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**



IAC SEARCH & MEDIA, INC. (DELAWARE CORPORATION)
555 12TH STREET, SUITE 500
OAKLAND, CA 94607

FOR: DOWNLOADABLE INTERNET BROWSER PLUG-INS AND CLIENT SERVER APPLICATIONS IN THE NATURE OF MULTI-FUNCTION TOOL BAR PLUG-INS; DOWNLOADABLE COMPUTER SOFTWARE FOR USE IN PROVIDING SEARCH ENGINE SERVICES WHICH ARE PROVIDED THROUGH A BROWSER TOOL BAR, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

FOR: BUSINESS SERVICES, NAMELY, PROVIDING LINKS TO THE WEB SITES OF OTHERS, NAMELY, RETAIL SERVICE PROVIDERS IN THE FIELD OF CONSUMER ELECTRONICS, COMPUTERS, CLOTHING, AUTOMOBILES, TOYS AND GAMES AND A WIDE VARIETY OF OTHER GENERAL CONSUMER PRODUCTS; PROVIDING LINKS TO THE WEBSITES OF OTHERS IN THE FIELD OF CONSUMER PRODUCTS AND SERVICES; PROMOTING THE GOODS AND SERVICES OF OTHERS BY PLACING ADVERTISEMENTS AND PROMOTIONAL DISPLAYS ON ELECTRONIC SITES ACCESSED THROUGH COMPUTER NETWORKS; PROVIDING CONSUMER PRODUCT INFORMATION; PROVIDING COMPARISON SHOPPING INFORMATION, PROVIDING ONLINE DIRECTORY INFORMATION SERVICES ALSO FEATURING HYPERLINKS TO OTHER WEBSITES, DISSEMINATION OF ADVERTISING FOR OTHERS VIA THE INTERNET; ONLINE ADVERTISING SERVICES FOR OTHERS, NAMELY, PROVIDING AD-

VERTISING SPACE ON WEBSITES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

FOR: PROVIDING LINKS TO WEBSITES OF OTHERS IN THE FIELD OF ENTERTAINMENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

FOR: PROVIDING CUSTOMIZED ON-LINE WEB PAGES FEATURING USER-DEFINED INFORMATION, WHICH INCLUDES SEARCH ENGINES AND ONLINE WEB LINKS TO OTHER WEBSITES; PROVIDING ON-LINE DIRECTORIES, INDICES AND SEARCHABLE DATABASES OF WEBSITES AND COMPUTER NETWORKS; PROVIDING LINKS TO WEB SITES OF OTHERS IN THE FIELD OF COMPUTERS AND TECHNOLOGY; COMPUTER SERVICES, NAMELY, PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON GLOBAL COMPUTER NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

OWNER OF U.S. REG. NOS. 2,412,106, 2,463,252, AND OTHERS.

THE MARK CONSISTS OF THE WORD "ASK" IN A STYLIZED FONT INSIDE THE DESIGN OF A FILLED IN OVAL.

SN 78-981,112, FILED 2-21-2006.

LINDA MICKLEBURGH, EXAMINING ATTORNEY

SN 78-981,112, FILED 2-21-2006.

LINDA MICKLEBURGH, EXAMINING ATTORNEY

EXHIBIT E

United States of America

United States Patent and Trademark Office



Reg. No. 3,904,782

Registered Jan. 11, 2011

Int. Cl.: 45

SERVICE MARK

PRINCIPAL REGISTER

IAC SEARCH & MEDIA, INC. (DELAWARE CORPORATION)
555 12TH STREET, SUITE 500
OAKLAND, CA 94607

FOR: COMPUTER SOCIAL NETWORKING SERVICES, NAMELY, CREATING AN ON-LINE COMMUNITY FOR REGISTERED USERS TO PARTICIPATE IN DISCUSSIONS AND GET FEEDBACK FROM THEIR PEERS REGARDING AREAS OF MUTUAL INTERESTS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 7-27-2010; IN COMMERCE 7-27-2010.

OWNER OF U.S. REG. NOS. 2,412,106, 2,463,252, AND 3,525,714.

THE MARK CONSISTS OF THE WORD "ASK" IN AN OVAL DESIGN.

SN 77-566,782, FILED 9-10-2008.

LINDSEY RUBIN, EXAMINING ATTORNEY



David J. Kyjars

Director of the United States Patent and Trademark Office

EXHIBIT F

Int. Cls.: 9, 35, and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 3,593,278

Registered Mar. 17, 2009

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**



IAC SEARCH & MEDIA, INC. (DELAWARE CORPORATION)
555 12TH STREET, SUITE 500
OAKLAND, CA 94607

FOR: DOWNLOADABLE INTERNET BROWSER PLUG-INS AND CLIENT SERVER APPLICATIONS IN THE NATURE OF MULTI-FUNCTION TOOL BAR PLUG-INS; DOWNLOADABLE COMPUTER SOFTWARE FOR USE IN PROVIDING SEARCH ENGINE SERVICES WHICH ARE PROVIDED THROUGH A BROWSER TOOL BAR, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

FOR: BUSINESS SERVICES, NAMELY, PROVIDING LINKS TO THE WEBSITES OF OTHERS, NAMELY, RETAIL SERVICE PROVIDERS IN THE FIELD OF CONSUMER ELECTRONICS, COMPUTERS, CLOTHING, AUTOMOBILES, TOYS AND GAMES AND A WIDE VARIETY OF OTHER GENERAL CONSUMER PRODUCTS; PROVIDING LINKS TO THE WEBSITES OF OTHERS IN THE FIELD OF CONSUMER PRODUCTS AND SERVICES; PROMOTING THE GOODS AND SERVICES OF OTHERS BY PLACING ADVERTISEMENTS AND PROMOTIONAL DISPLAYS ON ELECTRONIC SITES ACCESSED THROUGH COMPUTER NETWORKS; PROVIDING CONSUMER PRODUCT INFORMATION; PROVIDING COMPARISON SHOPPING INFORMATION, PROVIDING ONLINE DIRECTORY INFORMATION SERVICES ALSO FEATURING HYPERLINKS TO OTHER WEBSITES, DISSEMINATION OF ADVERTISING FOR OTHERS VIA THE INTERNET; ONLINE ADVERTISING SERVICES FOR OTHERS, NAMELY, PROVIDING ADVERTISING SPACE ON WEBSITES; PROVIDING

ON-LINE DIRECTORIES, INDICES AND SEARCHABLE DATABASES OF WEBSITES AND COMPUTER NETWORKS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

FOR: PROVIDING CUSTOMIZED ON-LINE WEB PAGES FEATURING USER-DEFINED INFORMATION, WHICH INCLUDES SEARCH ENGINES AND ONLINE WEB LINKS TO OTHER WEBSITES; PROVIDING LINKS TO WEBSITES OF OTHERS IN THE FIELD OF COMPUTERS AND TECHNOLOGY; COMPUTER SERVICES, NAMELY, PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON GLOBAL COMPUTER NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 6-6-2007; IN COMMERCE 6-6-2007.

OWNER OF U.S. REG. NOS. 2,412,106, 2,463,252, AND OTHERS.

THE COLORS RED, WHITE AND BLACK ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "ASK" IN A STYLIZED FONT SET INSIDE A RED OVAL. THE WORD "ASK" APPEARS IN WHITE LETTERS WITH BLACK OUTLINING.

SN 78-980,897, FILED 2-21-2006.

LINDA MICKLEBURGH, EXAMINING ATTORNEY

EXHIBIT G

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,463,252

United States Patent and Trademark Office

Registered June 26, 2001

**SERVICE MARK
PRINCIPAL REGISTER**

ASK.COM

ASK JEEVES, INC. (CALIFORNIA CORPORATION)
918 PARKER STREET
BERKELEY, CA 94710

FIRST USE 10-15-1998; IN COMMERCE 10-15-1998.

FOR: COMPUTER SERVICES, NAMELY, PROVIDING A SEARCH ENGINE BASED ON NATURAL LANGUAGE QUERIES ON A GLOBAL COMPUTER NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).

SER. NO. 75-693,002, FILED 4-28-1999.

DAWN FELDMAN, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2013-05-21 20:44:04 EDT

Mark: ASK.COM

US Serial Number: 75693002
US Registration Number: 2463252

Application Filing Date: Apr. 28, 1999

Registration Date: Jun. 26, 2001

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Jul. 21, 2011

Publication Date: Jul. 11, 2000

Mark Information

Mark Literal Elements: ASK.COM

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Computer services, namely, providing a search engine based on natural language queries on a global computer network

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 15, 1998

Use in Commerce: Oct. 15, 1998

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: IAC SEARCH & MEDIA, INC.

Owner Address: 555 12TH STREET, SUITE 500
OAKLAND, CALIFORNIA 94607
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Rosemary S. Tarlton

Docket Number: 476836014000

Correspondent

Correspondent Rosemary S. Tarlton
Name/Address: Morrison & Foerster LLP
 425 Market Street
 San Francisco, CALIFORNIA 94105-2482
 UNITED STATES

Phone: 415 268 6810

Fax: 415 268 7522

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 21, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Jul. 21, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 21, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Jun. 10, 2011	TEAS SECTION 8 & 9 RECEIVED	
Oct. 11, 2006	CASE FILE IN TIGRS	
Sep. 07, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	65765
Jun. 26, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 26, 2006	TEAS SECTION 8 & 15 RECEIVED	
Apr. 12, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 09, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 27, 2003	PAPER RECEIVED	
Jun. 26, 2001	REGISTERED-PRINCIPAL REGISTER	
May 03, 2001	OPPOSITION TERMINATED NO. 999999	120374
May 03, 2001	OPPOSITION DISMISSED NO. 999999	120374
Sep. 25, 2000	OPPOSITION INSTITUTED NO. 999999	120374
Aug. 10, 2000	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jul. 11, 2000	PUBLISHED FOR OPPOSITION	
Jun. 09, 2000	NOTICE OF PUBLICATION	
Apr. 04, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 07, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 07, 1999	NON-FINAL ACTION MAILED	
Aug. 27, 1999	ASSIGNED TO EXAMINER	74662

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 26, 2011

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Jul. 21, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Ask Jeeves, Inc.

Assignment 1 of 2

Conveyance: MERGER

Reel/Frame: 3013/0060

Pages: 9

Date Recorded: Jan. 20, 2005

Supporting Documents: [assignment-tm-3013-0060.pdf](#)

Assignor

Name: ASK JEEVES, INC.
 Legal Entity Type: CORPORATION

Execution Date: Jun. 29, 1999
 State or Country Where Organized: CALIFORNIA

Assignee

Name: ASK JEEVES, INC.
 Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 555 12TH STREET, SUITE 500
 OAKLAND, CALIFORNIA 94607

Correspondent

Correspondent Name: ROSEMARY S. TARLTON
 Correspondent Address: MORRISON & FOERSTER LLP, 425 MARKET ST.
 SAN FRANCISCO, CA 94105-2482

Domestic Representative - Not Found**Assignment 2 of 2**

Conveyance: CHANGE OF NAME

Reel/Frame: 3284/0679

Pages: 5

Date Recorded: Apr. 07, 2006

Supporting Documents: assignment-tm-3284-0679.pdf

Assignor

Name: ASK JEEVES, INC.
 Legal Entity Type: CORPORATION

Execution Date: Feb. 17, 2006
 State or Country Where Organized: DELAWARE

Assignee

Name: IAC SEARCH & MEDIA, INC.
 Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 555 12TH STREET, SUITE 500
 OAKLAND, CALIFORNIA 94607

Correspondent

Correspondent Name: ROSEMARY S. TARLTON
 Correspondent Address: MORRISON & FOERSTER LLP, 425 MARKET ST.
 SAN FRANCISCO, CA 94105-2482

Domestic Representative - Not Found**Proceedings****Summary**

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: 91189244

Filing Date: Mar 11, 2009

Status: Terminated

Status Date: Oct 20, 2009

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Worden, Michael

Correspondent Address: AHAB AYOUB
 1726 ALPINE CIRCLE
 SAN ANTONIO TX , 78248-2104
 UNITED STATES

Correspondent e-mail: ahabayoub@gmail.com

Associated marks**Mark**

ASK LOCALS

Application Status

Abandoned - After Inter-Partes Decision
 Plaintiff(s)

Serial Number

77502938

Registration Number

Name: IAC Search & Media, Inc.
 Correspondent Address: Rosemary S. Tarlton
 Morrison & Foerster LLP
 425 Market Street
 San Francisco CA , 94105-2482
 UNITED STATES

Correspondent e-mail: rtarnton@mofo.com, nsabri@mofo.com, mmcdaniel@mofo.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ASK!	Renewed	<u>75763395</u>	<u>2412106</u>
ASK	Registered	<u>78645692</u>	<u>3525714</u>
ASK.COM	Renewed	<u>75693002</u>	<u>2463252</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 11, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 11, 2009	Apr 20, 2009
3	PENDING, INSTITUTED	Mar 11, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Apr 16, 2009	
5	EXTENSION OF TIME GRANTED	Apr 16, 2009	
6	NOTICE OF DEFAULT	Aug 25, 2009	
7	BOARD'S DECISION: SUSTAINED	Oct 20, 2009	
8	TERMINATED	Oct 20, 2009	

Type of Proceeding: OppositionProceeding Number: 91188737

Filing Date: Feb 06, 2009

Status: Terminated

Status Date: Jul 02, 2010

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Amazon Technologies, Inc.

Correspondent Address: John C. Rawls
 Bracewell & Giuliani LLP
 711 Louisiana Street, Suite 2300
 Houston TX , 77002-2770
 UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
ASKVILLE	Registered	<u>77288841</u>	<u>3829978</u>

Plaintiff(s)

Name: IAC Search and Media, Inc.

Correspondent Address: Raffi V. Zerounian
 Harvey Siskind LLP
 4 Embarcadero Center, 39th Floor
 San Francisco CA , 94111
 UNITED STATES

Correspondent e-mail: rzerounian@harveysiskind.com, pharvey@harveysiskind.com, clea@harveysiskind.com, dfreitag@harveysiskind.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ASK!	Renewed	<u>75763395</u>	<u>2412106</u>
ASK.COM	Renewed	<u>75693002</u>	<u>2463252</u>
ASK	Registered	<u>78645692</u>	<u>3525714</u>
ASK	Abandoned - No Statement Of Use Filed	<u>78820136</u>	
ASK	Abandoned - No Statement Of Use Filed	<u>78757477</u>	
ASK	Abandoned - No Statement Of Use Filed	<u>78820138</u>	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 06, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2009	Mar 18, 2009
3	PENDING, INSTITUTED	Feb 06, 2009	
4	ANSWER	Mar 18, 2009	

5	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Sep 03, 2009
6	EXTENSION OF TIME GRANTED	Sep 18, 2009
7	STIPULATED PROTECTIVE ORDER	Dec 01, 2009
8	STIPULATION FOR AN EXTENSION OF TIME	Dec 10, 2009
9	STIPULATION NOTED AND APPROVED	Dec 14, 2009
10	STIPULATION FOR AN EXTENSION OF TIME	Jan 14, 2010
11	TRIAL DATES RESET	Jan 16, 2010
12	STIPULATION FOR AN EXTENSION OF TIME	Feb 03, 2010
13	CONSOLIDATED CHILD OF 91178765	Feb 06, 2010
14	STIPULATION OF DISMISSAL	Jun 30, 2010
15	BD'S DECISION: DISMISSED W/ PREJUDICE	Jul 02, 2010
16	TERMINATED	Jul 02, 2010

Type of Proceeding: Opposition**Proceeding Number:** 91178765**Filing Date:** Aug 06, 2007**Status:** Terminated**Status Date:** Jul 02, 2010**Interlocutory Attorney:** CHERYL S GOODMAN**Defendant****Name:** Amazon Technologies, Inc.

Correspondent Address: JOHN C. RAWLS
BRACEWELL & GIULIANI LLP
711 LOUISIANA STREET, SUITE 2300
HOUSTON TX , 77002
UNITED STATES

Correspondent e-mail: John.Rawls@bgllp.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ASKVILLE	Fifth Extension - Granted Plaintiff(s)	77002313	

Name: IAC Search & Media, Inc.

Correspondent Address: RAFFI V. ZEROUNIAN, ESQ.
HARVEY SISKIND LLP
4 EMBARCADERO CENTER, 39TH FLOOR
SAN FRANCISCO CA , 94111
UNITED STATES

Correspondent e-mail: rzerounian@harveysiskind.com , cllee@harveysiskind.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ASK!	Renewed	<u>75763395</u>	<u>2412106</u>
ASK.COM	Renewed	<u>75693002</u>	<u>2463252</u>
ASK	Abandoned - No Statement Of Use Filed	<u>78820136</u>	
ASK	Abandoned - No Statement Of Use Filed	<u>78757477</u>	
ASK	Abandoned - No Statement Of Use Filed	<u>78820138</u>	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 06, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 06, 2007	Sep 15, 2007
3	PENDING, INSTITUTED	Aug 06, 2007	
4	STIPULATION FOR AN EXTENSION OF TIME	Sep 14, 2007	
5	EXTENSION OF TIME GRANTED	Sep 17, 2007	
6	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2007	
7	EXTENSION OF TIME GRANTED	Nov 16, 2007	
8	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2007	

9	EXTENSION OF TIME GRANTED	Nov 16, 2007	
10	ANSWER	Dec 17, 2007	
11	STIPULATION FOR AN EXTENSION OF TIME	Feb 26, 2008	
12	EXTENSION OF TIME GRANTED	Feb 26, 2008	
13	STIPULATION FOR AN EXTENSION OF TIME	Jun 15, 2008	
14	EXTENSION OF TIME GRANTED	Jun 15, 2008	
15	STIPULATION FOR AN EXTENSION OF TIME	Sep 15, 2008	
16	EXTENSION OF TIME GRANTED	Sep 15, 2008	
17	MOTION TO AMEND ANSWER/AMENDED ANSWER OR COUNTERCLAIM	Oct 17, 2008	
18	P'S MOTION TO COMPEL DISCOVERY	Oct 23, 2008	
19	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Nov 05, 2008	
20	DEF'S FEE FOR COUNTERCLAIM	Nov 05, 2008	
21	STIPULATION FOR AN EXTENSION OF TIME	Nov 12, 2008	
22	EXTENSION OF TIME GRANTED	Nov 14, 2008	
23	STIP STATEMENT NARROWING ISSUES RAISED IN PLS MOT TO COMPEL	Nov 19, 2008	
24	D'S OPPOSITION/RESPONSE TO MOTION	Nov 19, 2008	
25	P'S REPLY IN SUPPORT OF MOTION	Dec 09, 2008	
26	RESPONSE DUE 30 DAYS (DUE DATE)	Jan 21, 2009	Feb 20, 2009
27	ANSWER TO COUNTERCLAIM	Feb 20, 2009	
28	STIPULATION FOR AN EXTENSION OF TIME	Feb 23, 2009	
29	EXTENSION OF TIME GRANTED	Feb 23, 2009	
30	CHANGE OF CORRESPONDENCE ADDRESS	Mar 04, 2009	
31	STIPULATION FOR AN EXTENSION OF TIME	Apr 28, 2009	
32	EXTENSION OF TIME GRANTED	May 11, 2009	
33	D'S MOTION FOR AN EXTENSION OF TIME	Sep 03, 2009	
34	EXTENSION OF TIME GRANTED	Sep 10, 2009	
35	STIPULATED PROTECTIVE ORDER	Dec 01, 2009	
36	STIPULATION FOR AN EXTENSION OF TIME	Dec 10, 2009	
37	STIP PROTECTIVE ORDER APPROVED	Dec 16, 2009	
38	TRIAL DATES RESET	Dec 17, 2009	
39	STIPULATION FOR AN EXTENSION OF TIME	Jan 14, 2010	
40	EXTENSION OF TIME GRANTED	Jan 20, 2010	
41	STIPULATION FOR AN EXTENSION OF TIME	Feb 03, 2010	
42	CONSOLIDATED (PARENT) P'S MOTION GRANTED	Feb 06, 2010	
43	SUSPENDED	Mar 08, 2010	
44	SUSPENDED	Mar 08, 2010	
45	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Mar 24, 2010	
46	SUSPENDED	Mar 26, 2010	
47	STIP TO DISMISS OPPTS N COUNTERCLAIMS	Jun 18, 2010	
48	BD'S DECISION: DISMISSED W/ PREJUDICE	Jul 02, 2010	
49	TERMINATED	Jul 02, 2010	

Type of Proceeding: Opposition

Proceeding Number: 91120374

Filing Date: Sep 11, 2000

Status: Terminated

Status Date: May 03, 2001

Interlocutory Attorney: CINDY B GREENBAUM

Defendant

Name: ASK JEEVES, INC.

Correspondent Address: JOHN W. CRITTENDEN
COOLEY GODWARD LLP
ONE MARITIME PLAZA 20TH FLOOR

SAN FRANCISCO CA , 94111-3580

Associated marks

Mark	Application Status	Serial Number	Registration Number
ASK.COM	Renewed	<u>75693002</u>	<u>2463252</u>

Plaintiff(s)

Name: ASCOM HOLDING AG

Correspondent Address: NEIL F. GREENBLUM
GREENBLUM & BERSTEIN, P.L.C.
1941 ROLAND CLARKE PLACE
RESTON VA , 20191

Associated marks

Mark	Application Status	Serial Number	Registration Number
ASCOM	Renewed	<u>74046868</u>	<u>1839234</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 11, 2000	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 25, 2000	Nov 04, 2000
3	PENDING, INSTITUTED	Sep 25, 2000	
4	ANSWER	Nov 03, 2000	
5	P'S STIPULATED MOT TO DISMISS OPP W/PREJ	Apr 02, 2001	
6	BD'S DECISION: DISMISSED W/ PREJUDICE	May 03, 2001	
7	TERMINATED	May 03, 2001	

EXHIBIT H

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,275,474

United States Patent and Trademark Office

Registered Sep. 7, 1999

**SERVICE MARK
PRINCIPAL REGISTER**

ASK JEEVES!

ASK JEEVES INC. (CALIFORNIA CORPORATION)
918 PARKER STREET
BERKELEY, CA 94710

FOR: BUSINESS COMPUTER SERVICES,
NAMELY A SERVICE WHICH ALLOWS
USERS OF A GLOBAL COMPUTER INFORMATION
NETWORK TO CONDUCT NATURAL-
LANGUAGE SEARCHES ON A WIDE VARIETY

OF SUBJECT MATTERS, IN CLASS 42 (U.S.
CLS. 100 AND 101).

FIRST USE 11-29-1995; IN COMMERCE
2-1-1996.

SER. NO. 75-388,008, FILED 11-10-1997.

DAVID M. MERMELSTEIN, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,275,474

United States Patent and Trademark Office

Registered Sep. 7, 1999

**SERVICE MARK
PRINCIPAL REGISTER**

ASK JEEVES!

ASK JEEVES INC. (CALIFORNIA CORPORATION)
918 PARKER STREET
BERKELEY, CA 94710

FOR: BUSINESS COMPUTER SERVICES,
NAMELY A SERVICE WHICH ALLOWS
USERS OF A GLOBAL COMPUTER INFORMATION
NETWORK TO CONDUCT NATURAL-
LANGUAGE SEARCHES ON A WIDE VARIE-

TY OF SUBJECT MATTERS, IN CLASS 42 (U.S.
CLS. 100 AND 101).

FIRST USE 11-29-1995; IN COMMERCE
2-1-1996.

SER. NO. 75-388,008, FILED 11-10-1997.

DAVID M. MERMELSTEIN, EXAMINING ATTORNEY

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Mark: ASK JEEVES

ASK JEEVES!

US Serial Number: 75388008
US Registration Number: 2275474

Application Filing Date: Nov. 10, 1997

Registration Date: Sep. 07, 1999

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 07, 1999

Publication Date: Jun. 15, 1999

Mark Information

Mark Literal Elements: ASK JEEVES

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Business computer services, namely a service which allows users of a global computer information network to conduct natural-language searches on a wide variety of subject matters

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 29, 1995

Use in Commerce: Feb. 01, 1996

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: IAC SEARCH & MEDIA, INC.

Owner Address: 555 12TH STREET, SUITE 500
OAKLAND, CALIFORNIA 94607
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record - None
CorrespondentCorrespondent ROSEMARY S TARLTON
Name/Address: MORRISON & FOERSTER LLP
425 MARKET ST
SAN FRANCISCO, CALIFORNIA 94105-2482
UNITED STATES

Phone: 415 268 6810

Fax: 415 268 7522

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 31, 2006	CASE FILE IN TICRS	70131
Apr. 12, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 01, 2005	AMENDMENT UNDER SECTION 7 - ISSUED	
Oct. 28, 2005	ASSIGNED TO PARALEGAL	
Sep. 09, 2005	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 09, 2005	PAPER RECEIVED	
Sep. 07, 2005	TEAS SECTION 8 & 15 RECEIVED	
Jun. 27, 2003	PAPER RECEIVED	
Sep. 07, 1999	REGISTERED-PRINCIPAL REGISTER	
Jun. 15, 1999	PUBLISHED FOR OPPOSITION	
May 14, 1999	NOTICE OF PUBLICATION	72619
Mar. 15, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 23, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 31, 1998	NON-FINAL ACTION MAILED	
Aug. 21, 1998	ASSIGNED TO EXAMINER	

Maintenance Filings or Post Registration Information

Change in Registration: Yes

Amendment to a Registration/Renewal Certificate: The drawing is amended to appear as follows: "Ask Jeeves".

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Aug. 31, 2006

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Ask Jeeves Inc.

Assignment 1 of 3

Conveyance: MERGER

Reel/Frame: 2994/0246

Pages: 9

Date Recorded: Dec. 17, 2004

Supporting Documents: [assignment-tm-2994-0246.pdf](#)

Assignor

Name: ASK JEEVES, INC.

Execution Date: Jun. 29, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: ASK JEEVES, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 5858 HORTON STREET SUITE 350
EMERYVILLE, CALIFORNIA 94608

Correspondent

Correspondent Name: ROSEMARY S. TARLTON

Correspondent Address: MORRISON & FOERSTER LLP, 425 MARKET ST.
SAN FRANCISCO, CA 94105-2482

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: MERGER

Reel/Frame: 3013/0060

Pages: 9

Date Recorded: Jan. 20, 2005

Supporting Documents: assignment-tm-3013-0060.pdf

Assignor

Name: ASK JEEVES, INC.

Execution Date: Jun. 29, 1999

Legal Entity Type: CORPORATION

State or Country Where
Organized: CALIFORNIA

Assignee

Name: ASK JEEVES, INC.

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Address: 555 12TH STREET, SUITE 500
OAKLAND, CALIFORNIA 94607

Correspondent

Correspondent Name: ROSEMARY S. TARLTON

Correspondent Address: MORRISON & FOERSTER LLP, 425 MARKET ST.
SAN FRANCISCO, CA 94105-2482

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: CHANGE OF NAME

Reel/Frame: 3284/0679

Pages: 5

Date Recorded: Apr. 07, 2006

Supporting Documents: assignment-tm-3284-0679.pdf

Assignor

Name: ASK JEEVES, INC.

Execution Date: Feb. 17, 2006

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Assignee

Name: IAC SEARCH & MEDIA, INC.

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Address: 555 12TH STREET, SUITE 500
OAKLAND, CALIFORNIA 94607

Correspondent

Correspondent Name: ROSEMARY S. TARLTON

Correspondent Address: MORRISON & FOERSTER LLP, 425 MARKET ST.
SAN FRANCISCO, CA 94105-2482

Domestic Representative - Not Found

EXHIBIT I

United States of America
United States Patent and Trademark Office

ASK KIDS

Reg. No. 3,765,425 IAC SEARCH & MEDIA, INC. (DELAWARE CORPORATION)
Registered Mar. 23, 2010 555 12TH STREET, SUITE 500
OAKLAND, CA 94607

Int. Cls.: 35 and 42 FOR: BUSINESS SERVICES, NAMELY, PROVIDING LINKS TO THE WEBSITES OF OTHERS, NAMELY, RETAIL SERVICE PROVIDERS IN THE FIELD OF CONSUMER ELECTRONICS, COMPUTERS, CLOTHING, AUTOMOBILES, TOYS AND GAMES AND A WIDE VARIETY OF OTHER GENERAL CONSUMER PRODUCTS; PROVIDING LINKS TO THE WEBSITES OF OTHERS IN THE FIELD OF CONSUMER PRODUCTS AND SERVICES; PROMOTING THE GOODS AND SERVICES OF OTHERS BY PLACING ADVERTISEMENTS AND PROMOTIONAL DISPLAYS ON ELECTRONIC SITES ACCESSED THROUGH COMPUTER NETWORKS; DISSEMINATION OF ADVERTISING FOR OTHERS VIA THE INTERNET; ONLINE ADVERTISING SERVICES FOR OTHERS, NAMELY, PROVIDING ADVERTISING SPACE ON WEBSITES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

**SERVICE MARK
PRINCIPAL REGISTER**

FIRST USE 8-27-2008; IN COMMERCE 8-27-2008.

FOR: PROVIDING CUSTOMIZED ON-LINE WEB PAGES FEATURING USER-DEFINED INFORMATION, WHICH INCLUDES SEARCH ENGINES AND ONLINE WEB LINKS TO OTHER WEBSITES; PROVIDING SEARCH ENGINES FOR SEARCHING INDICES AND DATABASES OF WEBSITES AND COMPUTER NETWORKS; COMPUTER SERVICES, NAMELY, PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON GLOBAL COMPUTER NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 8-27-2008; IN COMMERCE 8-27-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,412,106, 3,028,973, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "KIDS", APART FROM THE MARK AS SHOWN.

SN 77-978,701, FILED 12-12-2007.

KIMBERLY FRYE, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office